

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA**

**CHIEF HEARING OFFICER DIRECTIVE**

**DOCKET NOS. 2020-264-E and 2020-265-E ORDER NO. 2020-125-H**

**DECEMBER 4, 2020**

**CHIEF HEARING OFFICER: David Butler**

**DOCKET DESCRIPTIONS:**

**Duke Energy Carolinas, LLC's Establishment of Solar Choice Metering Tariffs Pursuant to S.C. Code Ann. Section 58-40-20 (See Docket No. 2019-170-E)**

**Duke Energy Progress, LLC's Establishment of Solar Choice Metering Tariffs Pursuant to S.C. Code Ann. Section 58-40-20 (See Docket No. 2019-169-E)**

**MATTER UNDER CONSIDERATION:**

**Petition to Intervene of Vote Solar in both Dockets**

**CHIEF HEARING OFFICER'S ACTION:**

**This matter comes before the Chief Hearing Officer on the Petition to Intervene of Vote Solar in the two Dockets noted above. The Petition is timely filed, and no objections to the intervention have been filed.**

**After it has been determined that the Petition has been timely filed, the next question for the Commission is to determine whether or not the petitioning party has clear factual support or grounds for the proposed intervention. S.C. Regs. 103-825A(3) requires that a party making a Petition to Intervene in a matter pending before the SC Public Service Commission must:**

**set forth clearly and concisely:**

**(a) The facts from which the nature of the petitioner's alleged right or interest can be determined;**

**(b) The grounds of the proposed intervention;**

**(c) The position of the petitioner in the proceeding.**

**Objections to a Petition to Intervene shall be filed with the Commission within ten days of service of the Petition to Intervene. S.C. Code Ann. Regs. 103-825A(3) (2012) (emphasis added).**

**Vote Solar states that it is a non-profit, grassroots organization that works to foster economic opportunity, promote energy independence for consumers, and address environmental concerns by making solar generation accessible and cost-effective for all Americans. Vote Solar notes that it works to bring solar into the mainstream by engaging at the local, state, and federal levels to help remove regulatory barriers and implement policies and programs to bring solar to scale. Established in 2002, Vote Solar has over**

110,000 members nationally and more than 2,300 in South Carolina, including members within Duke Energy Carolinas, LLC's and Duke Energy Progress, LLC's service territories.

In state regulatory proceedings, Vote Solar noted that it primarily focuses on rate design and public policy issues related to consumer use of and access to distributed solar generation. Recognizing the importance of programs and regulatory constructs for supporting customer-sited and other forms of distributed solar, Vote Solar points out that it has actively participated in utility commission proceedings across the country involving net metering, interconnection, rate design, and resource procurement, including Arizona, California, Colorado, Florida, Georgia, Idaho, Louisiana, Massachusetts, Minnesota, Nevada, New Mexico, New York, North Carolina, South Carolina, Utah, Vermont, and Wisconsin. In each of these cases, Vote Solar asserts that it effectively advocated against the unreasonable imposition of barriers or rate changes that would negatively impact consumers' ability to utilize distributed solar generation to effectively manage electricity costs.

In addition, Vote Solar states that it has a substantial interest in the subject matter of this proceeding. Vote Solar points out that it participated in a stakeholder process led by the Office of Regulatory Staff over the summer of 2019 to explore solutions to the then pending net metering cap. Vote Solar worked with stakeholders throughout the development of the Energy Freedom Act (Act 62) on net metering issues and asserts that it has a direct interest in fulfilling the implementation of the provisions of the Energy Freedom Act. Vote Solar states that it is an intervenor and active participant in related generic Docket No. 2019-182-E, which addresses methodologies for valuing customer-sited solar and for evaluating the benefits and costs of the existing net metering program.

Further, Vote Solar asserts that it has extensive national experience on matters of distributed generation valuation and methodology, rate design, cost-benefit evaluations of distributed energy resources, and net metering policy. Vote Solar points out that it expects to meaningfully contribute to the development of the record in this proceeding and to provide evidence consistent with the requirements of the Energy Freedom. In addition, Vote Solar is a signatory to the Stipulation filed in Docket Nos. 2020-264- E and 2020-265-E regarding implementation of Solar Choice Metering tariffs and supports Commission approval of the Companies' Joint Application in these dockets. Lastly, Vote Solar asserts that no other party will adequately represent its unique interest.

From these facts, this Hearing Officer holds that Vote Solar has successfully satisfied the three criteria for intervention stated in the Regulation. A review of the information in the preceding paragraphs reveals that Vote Solar's interest in these matters can clearly be discerned, as can the grounds for the intervention, and also Vote Solar's position. Further, the Petition to Intervene was timely filed and there are no objections to the intervention. Accordingly, the Petition to Intervene of Vote Solar is hereby granted in these Dockets. This ends the Chief Hearing Officer's Directive.